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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

DEC 14 1992

In the Matter of)
)
Billed Party Preference) CC Docket No. 92-77
for 0+ InterLATA Calls) Phase I

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

COMMENTS

MCI Telecommunications Corporation (MCI) hereby submits comments in response to the Commission's request for further comment in the Report and Order and Request for Supplemental Comment¹ released in the above-captioned proceeding.

In the Order, the Commission found that the American Telephone and Telegraph Company's (AT&T's) calling card practices have caused consumer and competitive problems because AT&T card customers do not always reach AT&T when they follow its dialing instructions.² Accordingly, the Commission required AT&T to "(1) educate its cardholders to check payphone signage and to use 0+ access only at phones identified as presubscribed to AT&T; (2) to provide clear and accurate access code dialing instructions on every proprietary card issued; and (3) make its 800 access code number easier to use."³

In addition to these requirements, the Commission asked for

¹ In the Matter of Billed Party Preference for 0+ InterLATA Calls, Report and Order and Request for Supplemental Comment, CC Docket No. 92-77, Phase I, FCC 92-465, released November 6, 1992.

² Although AT&T's practices clearly violated Section 201(b) of the Communications Act of 1934, as amended, the FCC failed to so find.

³ Order at para. 57.

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further comment on "methods for compensating operator service providers who continue to receive 0+ dialed proprietary card calls and who wish to transfer those calls to the card issuer for completion."⁴ Specifically, the Commission seeks comments on 1) the interconnection arrangements needed to provide this transfer service; 2) whether such a service should be provided under tariff, by carrier-to-carrier contract, or through a Commission prescribed compensation mechanism; and how such a transfer service can be provided consistent with Section 226(b)(1)(H) of the Communications Act of 1934, as amended, concerning "call splashing."

MCI supports the Commission's proposal that operator service providers (OSPs) be compensated for 0+ dialed proprietary card calls they receive and wish to transfer to the card issuer for completion as a partial solution to the consumer and competitive problems created by AT&T's calling card practices. Currently, AT&T CIID card customers are instructed to dial 0+ to reach AT&T. However, a customer who follows this instruction will not reach AT&T if he or she is at a phone presubscribed to another OSP; rather, he or she will reach the OSP presubscribed at that phone. Moreover, because AT&T will not provide access to its validation database, the OSP cannot verify the card to complete the call. As a result, the consumer is inconvenienced because his or her call cannot be completed, and the OSP has unfairly incurred costs, for operator handling and network expenses, that it cannot

⁴ Order at para. 64.

recover.

The Commission's proposal would help alleviate these problems because the consumer would be able to complete the call, and the OSP would be able to recover its costs.

Thus, MCI urges the Commission to find that OSPs may transfer calls through redialing instructions, call reorigination and call splashing. For example, OSPs could provide consumers with instructions to redial their carrier's access number. Not only would this transfer method allow consumers to complete calls via their carrier-of-choice, but it would help to educate consumers concerning the appropriate dialing methods.

OSP's also could transfer calls to the carrier by reoriginating the calls. Reoriginating calls would allow carriers to determine the location of the origination of the calls and, therefore, properly bill them. The Commission should not require reorigination as the only transfer method, however, because many OSPs do not have this capability it would be costly to develop and implement.

OSP's also could transfer calls by "splashing," whereby a telephone call is transferred from one OSP to another in such a manner that the subsequent provider is unable to determine the location of the origination of the call and, as a result, is prevented from billing the call on the basis of such location. However, call splashing must be in compliance with the Telephone Operator Consumer Services Improvement Act of 1990 (TOCSIA), which prohibits OSPs from splashing calls unless "the consumer

requests to be transferred to another provider of operator services, the consumer is informed prior to incurring any charges that the rates for the call may not reflect the rates from the actual originating location of the call, and the consumer then consents to be transferred." TOCSIA § 226(b)(1)(H).

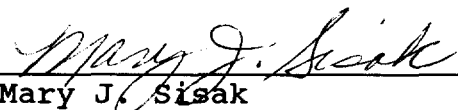
Finally, the Commission asks whether transfer service should be provided under contract, tariff or through a Commission prescribed compensation mechanism. MCI believes that carriers should be allowed to negotiate carrier-to-carrier contracts to determine the terms and conditions of compensation. Through contracts, carriers will be able to negotiate reasonable terms and conditions and expeditiously implement the compensation mechanism.

Based on the foregoing, MCI respectfully requests that the Commission adopt the recommendations discussed herein.

Respectfully submitted,

MCI TELECOMMUNICATIONS CORPORATION

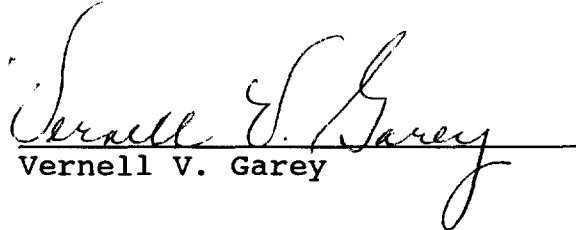
By:


Mary J. Sisak
Donald J. Elardo
1801 Pennsylvania Ave., N.W.
Washington, D.C. 20006
(202) 887-2605

Dated: December 14, 1992

CERTIFICATE OF SERVICE

I, Vernell V. Garey, do hereby certify that on this 14th day of December, 1992, copies of the foregoing "**Comments**" in CC Docket No. 92-77 were served by first-class mail, postage prepaid, unless otherwise indicated, upon the parties on the attached list.


Vernell V. Garey

*--Hand Delivered

George A. Christenberry, Jr.
Deputy Commissioner
Department of Administrative Services
Telecommunications Division
200 Piedmont Avenue
Suite 1402, West Tower
Atlanta, GA 30334-5540

Bob Starks
Representative, 38th District
Florida House of Representatives
1312 Palmetto Avenue
Winter Park, FL 32789

Richard M. Walsh
Special Assistant for Computer
Information Systems
Office of Administration
Commonwealth of Pennsylvania
Governor's Office
204 Finance Building
Harrisburg, PA 17120

Robert K. Johnson
Deputy Consumer Counselor
Indiana Office of Utility Consumer Counselor
Indiana Government Center
N501 100 North Senate Avenue
Indianapolis, IN 46204

Irwin A. Popowsky
Consumer Advocate
Pennsylvania Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, PA 17120

Eileen E. Huggard, Esq.
New York City Department of
Telecommunications and Energy
75 Park Place, Sixth Floor
New York, NY 10007

Perry R. Eichor
Secretary
South Carolina Jail Administrators Association
P.O. Box 10171
Greenville, SC 29603

Barney C. Parrella
Senior Vice President
Economics and International Affairs
Airports Association Council
International, North America
1220 19th Street, N.W.
Suite 200
Washington, DC 20036

Ian D. Volner
Cohn and Marks
Suite 600
1333 New Hampshire Avenue, N.W.
Washington, DC 20036
Of Counsel:
Airports Association Council
International, North America

Alan J. Thiemann
Taylor Thiemann & Aitken
908 King Street
Suite 300
Alexandria, VA 22314
Attorney for the National
Association of Convenience Stores

Keith J. Roland
Roland, Fogel, Koblenz & Carr
One Columbia Place
Albany, NY 12207
Attorney for the Independent
Payphone Association of New York, Inc.

John F. Dodd
Brad I. Pearson
Smith, Gill, Fisher & Butts
One Kansas City Place
1200 Main Street, 35th Floor
Kansas City, MO 64105-2152
Attorneys for the Independent
Network, Inc. and
American Telemanagement, Inc.

Gary Joseph
Vice President - Communications
National Brands, Inc.
d/b/a Sharenet Communications Company
4633 West Polk Street
Phoenix, Arizona 85043

Benjamin J. Griffin
Lynn E. Shapiro
Reed Smith Shaw & McClay
1200 18th Street, N.W.
Washington, DC 20036
Attorneys for South Carolina Division of
Information Resource Management

Stephen G. Kraskin
2120 L Street, N.W.
Suite 300
Washington, DC 20037
Attorney for U.S. Intelco Networks, Inc.

Rick L. Anthony
Executive Vice President
Quest Communications Corporation
6600 College Boulevard
Suite 205
Overland Park, KS 66211

Maurice D. Murphy
Associate Director
Network Services
Harvard University
Office of Information Technology
10 Ware Street
Cambridge, MA 02138

Veronica M. Ahern
Nixon, Hargrave, Devans & Doyle
One Thomas Circle, Suite 800
Washington, DC 20005
Attorney for the Illinois Department
of Central Management Services, Bureau of
Communications & Computer Services

Scott R. O'Donnell
Director
Department of Aviation
County of Allegheny
Room M 134, Terminal Building
Greater Pittsburgh International Airport
Pittsburgh, PA 15231

John B. Mow
President
Chief Executive Officer
Advanced Business Communications
4801 Spring Valley
Suite 105A
Dallas, TX 75244

Randolph J. May
Elizabeth C. Buckingham
Sutherland, Asbill & Brennan
1275 Pennsylvania Avenue, N.W.
Washington, DC 20004-2404
Attorneys for the Advanced Technologies
Cellular Telecommunications, Inc.

William M. Barvick
Bar Number 17893
231 Madison Street
Jefferson City, MO 65101
Attorney for Midwest Independent Coin
Payphone Association

Mark J. Angell
Vice President
Universal Technology & Communications
Corporation
10940 Laureate Drive
Suite 8300
San Antonio, TX 78249-3343

Thomas P. Engel
Director of Airports
County of Sacramento
Department of Airports
6900 Airport Boulevard
Sacramento, CA 95837

Krys T. Bart
Assistant Director
City of Fresno
2401 N. Ashley Way
Fresno, CA 93727-1504

Robert N. Broadbent
Director
Department of Aviation
McCarran International Airport
P.O. Box 11005
Las Vegas, Nevada 89111

G.A. Barron, Jr.
President/General Manager
Portland 76 Auto/Truck Plaza Inc.
21856 Bents Rd., NE
1-5, Exit 278
Aurora, OR 97002

Gerald K. Olson, A.A.E.
Cheynne Airport Manager
Cheyenne Airport
P.O. Box 2210
200 East 8th Avenue
Cheyenne, Wyoming 82003-2210

Eddie F. Storer
Airport Manager
Natrona County International Airport
8500 Fuller Street
Casper, WY 82604-1697

Patricia A. Simmons
Telecommunications Officer
Office of Systems and Computing Services
Renne Library Basement
Montana State University
Bozeman, MT 59717-0324

Louis E. Miller
Director of Airports
Salt Lake City Airport Authority
AMF Box 22084
Salt Lake City, UT 84122

C.M. Armour
President
Southeast Chapter, American Association
of Airport Executives (SEC AAAE)
Southwest Georgia Regional Airport
3905 Newton Road
Albany, GA 31707

Douglas N. Owens
4705 16th St., N.E.
Seattle, WA 98105
Attorney for Northwest Pay Phone Association

Stanley F. Bates
Assistant Director
Arizona Department of Corrections
1601 West Jefferson Street
Phoenix, AZ 85007-3003

O. Lane McCotter
Executive Director
Utah Department of Corrections
6100 South 300 East
Murray, UT 84107

Albert H. Kramer
Robert F. Aldrich
Helen M. Hall
Keck, Mahin & Cate
1201 New York Avenue, N.W.
Washington, DC 20005-3919
Attorneys for American Public
Communications Council

Richard G. Kiebusch
President
American Jail Association
1000 Day Road, Suite 100
Hagerstown, MD 21740

Bern E. Case, A.A.E.
Director of Aviation
Lubbock International Airport
Route 3, Box 389
Lubbock, TX 79401

Jerry L. McMichael, A.A.E.
Executive Vice President
Finance and Administration
Memphis-Shelby County Airport Authority
Office Memphis International Airport
P.O. Box 30168
Memphis, TN 38130-0168

Robert H. Waddle, AAE
Executive Director
Columbia Metropolitan Airport
P.O. Box 280037
Columbia, SC 29228-0037

John W. Priest
Chairman & Chief Executive Officer
ComCentral Corp.
2150 Whitfield Industrial Way
Sarasota, FL 34243-4046

Richard L. Goldberg
Graham & James
One Maritime Plaza
Third Floor
San Francisco, CA 94111
Attorney for California Payphone Association

John J. Huber
Counsel
Petroleum Marketers Association of America
1130 Vermont Avenue, N.W.
Suite 1130
Washington, DC 20005-3523

Pamela J. Brandon
Division Administrator
Wisconsin Department of Corrections
149 E. Wilson Street
P.O. Box 7925
Madison, WI 53707

Erin E. Ostler
Vice President
Strategic Alliances, Inc.
2353 Rice Street, Suite 106
Roseville, MN 55113

Robert C. Dickhaus
President
Telephone Operating Systems, Inc.
P.O. Box 888048
Atlanta, GA 30356-0048

John W. Priest
Chairman &
Chief Executive Officer
Teltronics, Inc.
2150 Whitfield Industrial Way
Sarasota, FL 34243-4046

Brent A. Kitchen
Airports Director
Tulsa Airport Authority
Tulsa International Airport
P.O. Box 581838
Tulsa, OK 74158

Emily Regnier
Airport Properties Department
Oakland International Airport
Port of Oakland
530 Water Street
Jack London's Waterfront
P.O. Box 2064
Oakland, CA 94604-2064

Vernell Sturns
Executive Director
Dallas/Fort Worth International Airport
P.O. Drawer DFW
Dallas/Forth Worth Airport, TX 75261

Jean L. Kiddoo
Ann P. Morton
Swidler & Berlin, Chtd.
3000 K Street, N.W.
Suite 300
Washington, DC 20007
Attorneys for the Greater Orlando
Aviation Authority

Hugh J. Macbeth
Manager, Telecommunications
Greater Orlando Aviation Authority
One Airport Blvd.
Orlando, FL 32827-4399

Steve Schude
President
Advanced Payphone Systems, Inc.
535 W. Iron Avenue
Suite 122
Mesa, AZ 85210

Nanci Adler
Technologies Management, Inc.
163 E. Morse Boulevard
Winter Park, FL 32789
Consultant to Advanced Payphone Systems

Robert C. Whit
Executive Director
Airport Authority of Washoe County
Reno Cannon International Airport
Reno Stead Airport
Box 12490
Reno, NV 89510

Douglas E. Neel
Vice President
Regulatory Affairs
MessagePhone, Inc.
5910 N. Central Expressway
Suite 1575
Dallas, TX 75206

Rowland L. Curry
Director
Telephone Utility Analysis Division
Public Utility Commission of Texas
7800 Shoal Creek Boulevard
Austin, TX 78757

Colleen M. Dale
Senior Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Ellen M. Averett
Veronica A. Smith
John F. Povilaitis
P.O. Box 3265
G-28, North Office Building
Harrisburg, PA 17105-3265
Attorneys for the
Pennsylvania Public Utility Commission

Ronald G. Choura, Supervisor
Olga Lozano, Analyst
Telecommunications Section
Policy Division
Michigan Public Service Commission
P.O. Box 30221
Lansing, MI 48909-7721

Darrell S. Townsley
Special Assistant Attorney General
Illinois Commerce Commission
180 North LaSalle Street
Suite 810
Chicago, IL 60601

James R. Monk, Chairman
Indiana Utility Regulatory Commission
302 W. Washington Street
Suite E306
Indianapolis, IN 46204

James B. Gainer, Section Chief
Ann E. Henkener
Assistant Attorney General
Public Utilities Section
180 East Broad Street
Columbus, OH 43266

Cheryl L. Parrino, Chairman
Public Service Commission of Wisconsin
4802 Sheboygan Avenue
P.O. Box 7854
Madison, WI 53707

Brian J. Kinsella
Thomas F. Youngblood
American Hotel & Motel Association
1201 New York Avenue, N.W.
Washington, DC 20005-3931

William E. Wyrough, Jr.
Associate General Counsel
Florida Public Service Commission
101 East Gaines Street
Tallahassee, FL 32399-0850

Josephine S. Trubek
Rochester Tel Center
180 South Clinton Avenue
Rochester, NY 14646-0700
Attorney for the RCI Long Distance, Inc.

Rochelle D. Jones
Director-Regulatory
227 Church Street, 4th Floor
New Haven, CT 065104

Durward D. Dupre
Richard C. Hartgrove
John Paul Walters, Jr.
1010 Pine Street, Room 2114
St. Louis, MO 63101
Attorneys for Southwestern Bell
Telephone Company

Leon M. Kestenbaum
Jay C. Keithley
H. Richard Juhnke
1850 M Street, N.W., 11th Floor
Washington, DC 20036
Attorneys for Sprint Corporation

Craig T. Smith
P.O. Box 11315
Kansas City, MO 64112
Attorney for Sprint Corporation

Martin T. McCue
General Counsel
Linda Kent
Associate General Counsel
900 15th Street, N.W.
Suite 800
Washington, DC 20006-2105
Attorneys for the United States Telephone
Association

Lawrence E. Sarjeant
Randall S. Coleman
1020 19th Street, N.W.
Suite 700
Washington, DC 20036
Attorneys for U.S. West Communications, Inc.

Walter Steimel, Jr.
Fish & Richardson
601 13th Street, N.W.
5th Floor North
Washington, DC 20005
Attorneys for Pilgrim Telephone, Inc.

James R. Tuthill
Nancy C. Woolf
140 New Montgomery Street
Room 1523
San Francisco, CA 94105
Attorneys for Pacific Bell and Nevada Bell

James L. Wurtz
1275 Pennsylvania Avenue, N.W.
Washington, DC 20004
Attorney for Pacific Bell and Nevada Bell

Lisa M. Zaina
General Counsel
Organization for the Protection and
Advancement of Small Telephone Companies
2000 K Street, N.W., Suite 205
Washington, DC 20006

Patrick A. Lee
Edward E. Niehoff
120 Bloomingdale Road
White Plains, NY 10605
Attorneys for New York Telephone Company
and New England Telephone and Telegraph
Company

Gail L. Polivy
1850 M Street, N.W.
Suite 1200
Washington, DC 20036
Attorney for GTE Service Corporation
and its affiliated GTE domestic telephone
operating companies

Richard E. Wiley
Danny E. Adams
Brad E. Mutschelknaus
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, DC 20006
Attorneys for Competitive
Telecommunications Association

Genevieve Morelli
Vice President and General Counsel
Competitive Telecommunications Association
1140 Connecticut Avenue, N.W.
Suite 220
Washington, DC 20036

Floyd S. Keene
Larry A. Peck
2000 W. Ameritech Center Drive
Room 4H86
Hoffman Estates, IL 60196-1025
Attorneys for the Ameritech Operating
Companies

John M. Goodman
Charles H. Kennedy
1710 H Street, N.W.
Washington, DC 20006
Attorneys for the Bell Atlantic Telephone
Companies

William B. Barfield
Richard M. Sbaratta
Helen A. Shockey
Suite 1800
1155 Peachtree Street, N.E.
Atlanta, GA 30367-6000
Attorneys for Bellsouth
Telecommunications, Inc.

Debra L. Lagapa
Mary K. O'Connell
Morrison & Foerster
2000 Pennsylvania Avenue, N.W.
Suite 5500
Washington, DC 20006
Attorneys for MasterCard International
Incorporated and VISA U.S.A., Inc.

Francine J. Berry
Mark C. Rosenblum
Peter H. Jacoby
Richard H. Rubin
295 North Maple Avenue
Room 3244J1
Basking Ridge, NJ 07920
Attorneys for American Telephone and
Telegraph Company

Roy L. Morris
Deputy General Counsel
Allnet Communications Services, Inc.
1990 M Street, N.W.
Suite 500
Washington, DC 20036

Randolph J. May
David A. Gross
Elizabeth C. Buckingham
Sutherland, Asbill & Brennan
1275 Pennsylvania Avenue, N.W.
Washington, DC 20004-2404

Jean L. Kiddoo
Ann P. Morton
Swidler & Berlin, Chtd.
3000 K Street, N.W.
Suite 300
Washington, DC 20007
Attorneys for Cleartel
Communications, Inc., Com Sytems, Inc.,
International Pacific, Inc. and Teltrust
Communications Services, Inc.

Greg Casey
Senior Vice President
Regulatory Affairs
Jane A. Fisher, Director
Federal Regulatory (Acting)
International Telecharge, Inc.
6706 Democracy Boulevard
Bethesda, MD 20817

Brad Mutschelknaus
Danny E. Adams
Rachel J. Rothstein
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, DC 20006
Attorneys for International Telecharge, Inc.
and U.S. Long Distance, Inc.

Judith St. Ledger-Roty
Michael R. Wack
Reed Smith Shaw & McClay
1200 18th Street, N.W.
Washington, DC 20036
Attorneys for Intellicall, Inc.

John A. Ligon
Law Office of John Ligon
128 Mount Hebron Avenue
P.O. Box 880
Upper Montclair, NJ 07043
Attorney for Comtel Computer Corporation

Steven J. Hogan
President and CEO
LinkUSA
210 2nd Street, SE, Suite 400
Cedar Rapids, IA 52401

James D. Heflinger
Vice President and
General Counsel
LiTel Telecommunications Corporation
d/b/a LCI International
4650 Lakehurst Court
Dublin, OH 43017

Albert H. Kramer
Robert F. Aldrich
Keck, Mahin & Cate
1201 New York Avenue, N.W.
Penthouse Suite
Washington, DC 20005
Attorneys for the North American
Telecommunications Association

Randall B. Lowe
Charles H.N. Kallenbach
Jones, Day, Reavis & Pogue
1450 G Street, N.W.
Washington, DC 20005-2088
Attorneys for One Call Communications, Inc.
d/b/a OPTICOM

Mitchell F. Brecher
Dow, Lohnes & Albertson
1255 Twenty-Third Street, N.W.
Washington, kDC 20037
Attorneys for PhoneTel Technologies, Inc.

Mark W. Kelly
Vice Chairman/President
Thomas W. Wilson
Sr. Vice President
Strategic Planning
Polar Communications Corporation
300 Corporate Center Drive
Manalapan, NJ 07726

Paul C. Besozzi
Besozzi & Gavin
1901 L Street, N.W., Suite 200
Washington, DC 20036
Attorney for Polar Communications
Corporation

W. Audie Long
Senior Vice President
Legal & Regulatory
U.S. Long Distance, Inc.
9311 San Pedro
Suite 300
San Antonio, TX 78216

Charles P. Miller
General Counsel
Value-Added Communications, Inc.
1901 So. Meyers Rd., Suite 530
Oakbrook Terrace, IL 60181

Douglas E. Neel
Vice President
Regulatory Affairs
MessagePhone, Inc.
5910 N. Central Expressway
Suite 1575
Dallas, TX 75206

Jack R. McFadden
Director, Telecommunications Policy
and Planning
Office of Information Resources
State of Tennessee Department of Finance
and Administration
598 James Robertson Parkway
Nashville, TN 37243-0560

Walter Steimel, Jr.
Fish & Richardson
601 13th Street, N.W.
5th Floor North
Washington, DC 20005
Attorneys for Pilgrim Telephone, Inc.

William D. Catoe
President
South Carolina Correctional Association
P.O. Box 210603
Columbia, SC 29221

Laurie D. Morse
Property Manager
Monterey Peninsula Airport District
P.O. Box 550
Monterey, CA 93940

James B. Dronsfield
Director, Telecommunications
Duke University
106 Science Drive
Room 129 Tel-com
Durham, NC 27706

Angela Gittens
Deputy Director of Airports
Business and Finance
San Francisco International Airport
P.O. Box 8097
San Francisco, CA 94128

Judy Baar Topinka
State Senator - 22nd District
Illinois State Senate
8609 W. Cermak Road
North Riverside, IL 60546

Jack A. McLean
President
Richfield Truck Stop
P.O. Box 26 Holy Hill Exit
US 41-45 State 167 West
Richfield, WI 53076

Morton Berlan
MIT Information Systems
77 Massachusetts Ave., E19-738
Cambridge, MA 02139